

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	06-00030-01-CR-W-DW
BRIAN K. HANDLEY,	)	
	)	
Defendant.	)	

**REPORT AND RECOMMENDATION**

On March 21, 2006, defendant moved for a judicial determination of mental competency. Defendant was examined at the Medical Center for Federal Prisoners in Seattle, Washington, by Forensic Unit Psychologist Cynthia A. Low, Ph.D. Dr. Low stated diagnosed defendant with schizophrenia, paranoid type, continuous. "Overall, Mr. Handley demonstrated a poor ability to understand the nature and consequences of the court proceedings against him, and a poor ability to properly assist counsel in his defense. . . . It is highly recommended he participate in competency restoration procedures, to include medications to address his psychosis."

I held a competency hearing on June 26, 2006. Defendant was present, represented by Assistant Federal Public Defender Travis Poindexter. The government was represented by Assistant United States Attorney Mike Warner.

The parties stipulated to the report of Dr. Low.

Based upon the uncontroverted evidence stipulated to by the parties in this case, I find that the defendant is not competent to stand trial and to assist in his defense.

Therefore, it is

RECOMMENDED that the court, after making an independent review of the record and applicable law, enter an order finding defendant incompetent to stand trial and to assist in his defense. It is further

RECOMMENDED that the court commit defendant to the custody of the Attorney General for hospitalization and treatment pursuant to 18 U.S.C. § 4241(d).

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
June 28, 2006